

Message Text

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PAGE 01 IAEA V 07251 041301Z

51

ACTION SCI-06

INFO OCT-01 IO-13 ADP-00 ACDA-19 CIAE-00 INR-10 L-03

NSAE-00 NSC-10 RSC-01 SCEM-02 AF-10 ARA-16 EA-11

EUR-25 NEA-10 SS-15 H-03 PA-03 PRS-01 USIA-15 RSR-01

/175 W

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P 041213Z SEP 73

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 3325

INFO AEC GERMANTOWN PRIORITY

UNCLAS IAEA VIENNA 7251

EO 11652: NA

TAGS: TECH, IAEA

SUBJECT: AMENDMENT TO US-IAEA AGREEMENT FOR COOPERATION

REF: (A) STATE 174347 AND PREVIOUS

1. AGENCY HAS DISCOVERED APPARENT OVERSIGHT IN PROPOSED AMENDMENT TO U.S."IAEA AGREEMENT FOR COOPERATION, NAMELY, REFERENCE TO PHRASE "AS SET FORTH IN PARAGRAPH B OF THIS ARTICLE" IN LINE 2 (IN AGENCY'S PRINTED VERSION, INFCIRC/5) OF PARAGRAPH A OF ARTICLE II WHICH PROBABLY SHOULD BE DELETED, SINCE PARAGRAPH B IS ONE OF THOSE PROPOSED TO BE DELETED BY THE AMENDMENT.

2. MISSION ACKNOWLEDGED APPARENT DEFECT, BUT SUGGESTED TO AGENCY THAT PHRASE MIGHT BE RETAINED, SINCE IT COULD BE EQUALLY APPLICABLE TO ORIGINAL PARAGRAPH C, WHICH WOULD BE RE-LETTERED AS PARAGRAPH B BY PROPOSED AMENDMENT.

3. AGENCY COULD PROBABLY GO ALONG WITH LEAVING TEXT AS IS, PROVIDED U.S. EXPLAINED MATTER IN ITS RESPONSE TO AGENCY'S AUGUST 29 LETTER. AGENCY WOULD PREFER, HOWEVER, TO CORRECT TEXT OF AMENDMENT, SINCE IT SEEMS STRANGE THAT THERE IS NOW A NEED TO REFER TO A PARAGRAPH IN ARTICLE II.A THAT WAS NOT RPT NOT UNCLASSIFIED

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PAGE 02 IAEA V 07251 041301Z

APPARENT WHEN ORIGINAL AGREEMENT WAS CONCLUDED.

4. AGENCY BELIEVES TEXT OF AMENDMENT COULD EASILY BE CORRECTED BY REVISING ARTICLE I TO READ AS FOLLOWS: "ARTICLE II OF THE AGREEMENT FOR COOPERATION IS AMENDED BY: (I) DELETING IN PARAGRAPH A THEREOF, THE PHRASE 'AS SET FORTH IN PARAGRAPH B OF THIS ARTICLE'; AND (II) DELETING PARAGRAPHS B AND E AND RELETTERING PARAGRAPHS C, D, AND F AS B, C, AND D RESPECTIVELY."

5. IF U.S. AGREEABLE THIS APPROACH, AGENCY IS PREPARED SEND SECOND LETTER CORRECTING OVERSIGHT (DRAFT TEXT FOLLOWS SETPEL).

6. ALTERNATIVELY, IF U.S. PREFERS RETAIN REFERENCE AS IS, MISSION REQUESTS EXPLANATORY LANGUAGE TO BE INCLUDED IN OUR RESPONSE TO AGENCY'S AUGUST 29 LETTER. MISSION VALSO WILL INCORPORATE TEXTUAL CHANGES PER REFTTEL.

7. MISSION NOTES THAT IF FINAL U.S. APPROVALS TO GO AHEAD WITH SUBMISSION ARE NOT RPT NOT RECEIVED IN TIME FOR SEPT 14, BG, WE SEE NO RPT NO REASON WHY IT COULD NOT RPT NOT BE CONSIDERED AT POST-GC BOARD (SEPT 24 OR 25).

8. COPY OF LABOWITZ'S AUGUST 14 LETTER POUCHED AUGUST 29 TO YEOMANS, AEC.

9. ADVISE SOONEST. PORTER

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NNN

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Decaption Note:
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